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SUMMARY RECORD OF THE 4th MEETING

Chairman: Mr. SHIHABI
(President of the General Assembly)

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The meeting was called to order at 9.40 a.m.

ADOPTION OF THE AGENDA OF THE FORTY-SIXTH REGULAR SESSION OF THE GENERAL ASSEMBLY AND ALLOCATION OF ITEMS: REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM SUBMITTED BY THE PRESIDENT OF THE GENERAL ASSEMBLY (A/46/233)

1. Mr. ROSENSTOCK (United States of America), speaking on a point of order, said that, bearing in mind the rules of procedure of the General Assembly, particularly rules 13, 14, 15 and 35, and the importance of the additional item which was proposed for inclusion in the agenda of the forty-sixth session, the United States delegation wished to sponsor the draft decision contained in the appendix of document A/46/233.

2. Mr. DELON (France), Mr. SIDOROV (Union of Soviet Socialist Republics), Mr. SANOUSSI (Guinea) and Mr. PENNANEACH (Togo) joined the previous speaker in indicating that their delegations too would like to join as sponsors of the draft decision.

3. Mr. MUNTASSER (Libyan Arab Jamahiriya), Chairman of the Fifth Committee, said that it was his understanding that when the President of the General Assembly or the Chairman of a Main Committee submitted a proposal, he did so on behalf of all Members of the United Nations. At least that was the procedure followed in the Main Committees. Although he fully endorsed the proposal submitted by the President of the Assembly, he nevertheless considered it inappropriate for only some delegations to be sponsors of the draft decision under consideration.

4. Mr. MOTHIBAMELE (Botswana) said that it was his understanding that the President of the Assembly would submit his proposal, after which one or two delegations would make statements and the Committee as a whole would take a decision to support the President, who would then be authorized to submit the draft decision in question to the General Assembly on behalf of the General Committee. If the intention was to include a list of sponsors in the draft decision, then all the members of the Committee should be mentioned.

5. Mr. AYALA LASSO (Ecuador) endorsed the statement made by the representative of Botswana and expressed the view that if the Committee as a whole supported the initiative of the President, the difficulty could be overcome.

6. Mr. AL-KHUSSAIBY (Oman) expressed surprise that the meeting had begun on a point of order even before the Chairman had had a chance to state his intentions.

7. Mr. ROSENSTOCK (United States of America) said that his delegation would be pleased to see the names of all members of the Committee on a list of sponsors. It had raised a point of order at the start of the meeting to avoid a discussion of what was and was not permitted under the rules of procedure of

(Mr. Rosenstock, United States)

the General Assembly. The question of whether or not the President of the Assembly was empowered to submit the proposal was a legitimate one. Rather than having a discussion of the subject, it seemed easier to make it clear at the outset that the United States was prepared to sponsor the request and his delegation was extremely pleased to note that a large number of States had followed it. It had no objections whatsoever to the inclusion of all members of the Committee in the list of sponsors of the draft decision under consideration. However, it did not believe that the current case was the same as a situation in which a president or chairman submitted a text that was the outcome of discussions and consultations. There were quite significant differences between a case in which a president or chairman presented a draft that had been previously considered and a case in which he presented a text that did not originate with any sponsor in particular, which text would normally be considered as having the support of all members of the Committee. The Committee, fortunately, was not required to consider those differences since a number of delegations had offered to sponsor the request for the inclusion of an additional item in the agenda and that was why it was better to signal that fact by way of a point of order at the very outset of the meeting. If that had not been done, it would have been necessary to consider the substance of the question and to resolve it. His delegation was of the view that it would be pointless to proceed in that manner, as the item proposed for inclusion in the agenda was not the subject of controversy. There should therefore be no difficulty in allowing all States that so wished to become sponsors of the draft decision.

8. Mr. FLORES BERMUDEZ (Honduras) said that calling into question the authority of the President of the Assembly in no way contributed to the strengthening of the General Assembly. In the current situation a consideration of the substantive aspects of the question would not be the best way to proceed. His delegation supported the proposal made by the representative of Botswana and hoped that the draft decision would be submitted to the General Assembly by the General Committee as a whole.

9. Mr. TRAXLER (Italy), Mr. RAZALI (Malaysia) and Mr. OUDOVENKO (Ukraine) supported the proposals made by the representatives of Botswana and Ecuador and by other delegations that the Committee as a whole should sponsor the draft decision in question and should submit it to the General Assembly for consideration.

10. Mr. NYAKI (United Republic of Tanzania) said that, while his delegation had no difficulty in accepting the proposal and in subscribing to the views of the representative of Botswana, it was no longer possible to avoid the question of whether or not the President of the General Assembly was empowered to propose the inclusion of an additional item in the agenda. The rules of procedure were not sufficiently clear on that point and, in so far as it would be preferable for the President of the General Assembly to be explicitly so empowered, it would be useful to clarify the question.

11. Mr. WILENSKI (Australia) said that his delegation joined those which had supported the representatives of Ecuador and Botswana and wished to be a sponsor of the draft decision. With respect to the powers of the President, it would be inappropriate to engage in a discussion at the current stage but he supported those representatives who were of the view that the President should be authorized to submit the request for the inclusion of an additional item. However, the most appropriate forum to decide that question should be the Working Group on the reform of the General Assembly, which the President had established.

12. The CHAIRMAN said that he had submitted to the General Committee a request for the inclusion of an additional item concerning the commemoration of the fiftieth anniversary of the United Nations in 1995 at the request of the Secretariat and with the approval of the Secretary-General. He had not inquired whether he was empowered to do so under the rules of procedure of the General Assembly since, firstly, each Member State had the right to make such a request and he could therefore have done so in his capacity as representative of Saudi Arabia and, secondly, the Secretary-General himself had the authority to do so. If a legal question was involved, he would be pleased to consider it and would take account of the proposal of the representative of Australia that the matter should be clarified through informal consultations. His own view was that the President should be empowered to propose for the consideration of the General Committee the inclusion of an additional item. Until such time as the problem was resolved in informal consultations, he wished to propose, inasmuch as the Committee was in any case already considering the question and all of its members supported the proposal, that in order not to set a precedent a decision should be taken at the current meeting that the President of the Assembly should propose the inclusion of the additional item at the request of all the members of the General Committee, whose names would all be recorded in the list of sponsors.

13. Mr. ROSENSTOCK (United States of America), supported by Mr. DELON (France), Mr. PARKER (United Kingdom) and Mr. SIDOROV (Union of Soviet Socialist Republics), said that, without wishing to debate the substance of the question and to determine the reasons why the provisions of the rules of procedure were quite explicit with regard to who was empowered to submit a request for the inclusion of an additional item in the agenda, his delegation wished to be a sponsor of the draft decision under consideration and would be deeply honoured should the largest possible number of members of the Committee do the same.

14. The CHAIRMAN said that he took it that the Committee wished to have the names of all its members included in the list of sponsors of the draft decision contained in the appendix of document A/46/233 and that he would hold informal consultations to study the provisions of the rules of procedure relating to the question with a view to strengthening the functions of the President of the General Assembly. All the names of the members of the Committee would be included in the list of sponsors without prejudice to the powers of the President of the General Assembly and the consultations that would be held subsequently with a view to resolving the question. If there

(The Chairman)

was no objection, he would take it that the Committee wished to propose to the General Assembly that the additional item should be included in the agenda of the current session.

It was so decided.

15. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to recommend that the draft decision should be considered directly by the General Assembly in plenary meeting.

It was so decided.

The meeting rose at 10.05 a.m.